

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RLI INSURANCE COMPANY	:	
	:	
Plaintiff	:	
vs.	:	CIVIL ACTION
	:	
INDIAN RIVER SCHOOL DISTRICT	:	NO. : 05-858
<i>et al.</i>	:	
Defendants	:	

ORDER

AND NOW, this _____ day of _____, 2007, upon consideration of the Motion for Summary Judgement of Indian River School District and Plaintiff's Response thereto, it is hereby **ORDERED** that:

1. Partial Summary Judgment on Count I of RLI's Complaint is **DENIED** and the allegations set forth by RLI against Indian River School District in Count I may be pursued at trial;
2. Summary Judgment on Counts II and III of RLI's Complaint is **GRANTED** and judgment is entered in favor of Indian River School District and against RLI.

J.